

SENATE BILL 218

By Taylor

AN ACT to amend Tennessee Code Annotated, Title 40,
relative to pretrial release for certain offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-11-115, is amended by adding
the following new subsection:

(f)

(1) There is a presumption that a defendant should not be released on
the defendant's personal recognizance if the defendant is charged with an
offense that involved the use or display of a firearm or resulted in the serious
bodily injury or death of the victim. As used in this subsection (f), the terms
"firearm" and "serious bodily injury" mean the same as defined in § 39-11-106.

(2) If a magistrate or other official authorized to admit a defendant to bail
determines that the presumption established by subdivision (f)(1) has been
rebutted, then the magistrate or such official must include in the bail order written
findings for each factor listed in subsection (b).

SECTION 2. This act takes effect July 1, 2025, the public welfare requiring it.

Amendment No. 2 to HB0033

Doggett
Signature of Sponsor

AMEND Senate Bill No. 218

House Bill No. 33*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 40-11-115, is amended by adding the following new subsection:

(f)

(1) There is a presumption that a defendant should not be released on the defendant's personal recognizance if the defendant is charged with a felony offense that involved the use or display of a firearm or resulted in the serious bodily injury or death of the victim. As used in this subsection (f), the terms "firearm" and "serious bodily injury" mean the same as defined in § 39-11-106.

(2) If a magistrate or other official authorized to admit a defendant to bail determines that the presumption established by subdivision (f)(1) has been rebutted, then the magistrate or such official must include in the bail order written findings for each factor listed in subsection (b).

SECTION 2. This act takes effect July 1, 2025, the public welfare requiring it.

Amendment No. 3 to HB0033

Gillespie
Signature of Sponsor

AMEND Senate Bill No. 218

House Bill No. 33*

by deleting "(f)" wherever it appears in the amendatory language of SECTION 1 and substituting "(g)".

AND FURTHER AMEND by deleting the effective date section and substituting:

SECTION 2. This act takes effect July 1, 2026, the public welfare requiring it.